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D. Weiskoff  
Civ. Pers.

**DECISION**



**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D. C. 20548

FILE: B-188689

DATE: February 7, 1978

MATTER OF: Richard B. Gentile - Traveling Expenses -  
Indirect Route

DIGEST: Where National Security Agency employee was assigned to temporary duty in Los Angeles, and traveled from Fort Meade via indirect route by way of San Francisco, employee should be allowed full \$220 claimed for commercial air fare from San Francisco to Los Angeles and Los Angeles to Fort Meade based on comparison with constructive cost of \$384 for direct round-trip travel between Fort Meade and Los Angeles, notwithstanding fact that employee obtained transportation from Fort Meade to San Francisco at no cost.

This action is in response to a request for an advance decision concerning the claim of Richard B. Gentile, an employee of the National Security Agency (NSA), for reimbursement of a portion of travel expenses, \$28, which NSA previously disallowed. The NSA Finance and Accounting Officer, W. Smallets, submitted the request which was forwarded to this Office by the Per Diem, Travel and Transportation Allowance Committee and assigned PDTATAC Control No. 77-10.

While at his permanent duty station at Fort Meade in the Washington, D.C., area, Mr. Gentile was informed that he would be required to perform temporary duty (TDY) in the Los Angeles, California, area. Mr. Gentile obtained an airline service request dated November 2, 1976, for commercial air travel on November 7, 1976, from San Francisco, California, to Los Angeles, returning on November 9, 1976, from Los Angeles to Washington, at a cost of \$220. The airline service request was issued on the basis of a blanket travel order dated September 20, 1976. On Saturday, November 6, 1976, for reasons unrelated to his TDY assignment, Mr. Gentile traveled to San Francisco at no expense. The next day, utilizing his airline service request, he proceeded to Los Angeles where he performed his TDY and returned as scheduled to Washington.

The NSA has reimbursed Mr. Gentile \$192 representing the cost of commercial air fare from Los Angeles directly to Washington. The NSA reasoned:

"We must \* \* \* consider that he traveled circuitously enroute to his TDY point Los Angeles, CA. The transportation officer advises that the normal routing for TDY in Los Angeles, CA is direct from Washington to Los Angeles, CA at a cost of \$192.00 (November 1976). The cost from San Francisco to Washington, D.C., is \$192.00. This cost would have had to be borne by the traveler if TDY had not been involved. The ticket actually issued from San Francisco to Los Angeles, CA to Dulles Airport was \$220.00. \* \* \* The employee stated in the meeting of 23 February that he chose to commence his travel at San Francisco as he was going to be there for personal reasons and was able to get there at no cost to the Government; and, we assume, at no cost to himself. Therefore, we do not consider that portion of travel is at issue and it is not pertinent to the present claim."

Mr. Gentile has reclaimed the \$28 difference between the \$220 in airfare which he paid and the \$192 amount allowed by NSA.

Paragraph 1-2.5b of the Federal Travel Regulations (FTR) (FPMR 101-7) (1973) provides:

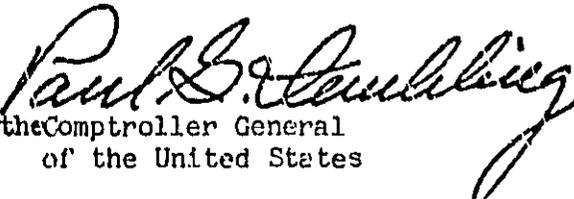
"When a person for his own convenience travels by an indirect route or interrupts travel by direct route, the extra expense shall be borne by him. Reimbursement for expenses shall be based only on such charges as would have been incurred by a usually traveled route. When transportation requests are used they shall be issued only for that portion of the expense properly chargeable to the Government, and the employee shall pay the additional personal expense \* \* \*."

Since Mr. Gentile was required to travel from Fort Meade to Los Angeles for the purpose of TDY and was notified of that travel requirement before his departure, his travel by way of San Francisco is to be regarded as travel by indirect route within the meaning of FTR para. 1-2.5b, quoted above. The cost of travel by usually traveled route to and from Los Angeles would have been \$384. Because Mr. Gentile's claim for transportation expenses of \$220 does not exceed

that amount, he is not to be regarded as having incurred any extra expense over those charges that would have been incurred by usually traveled route. Where, as here, an employee performs a portion of the travel by indirect route at no expense, it is improper to assign a no cost factor to that or a like portion of the trip for the purpose of determining those charges that would have been incurred by usually traveled route unless it is clear that the employee could have performed a like portion of direct travel at no cost and that he would have been obliged to do so. Thus, it appears that NSA improperly based Mr. Gentile's reimbursement on the \$192 constructive cost of one-way travel from Los Angeles to Washington, whereas his reimbursement is to be based on the \$384 constructive cost of round-trip travel between those two points.

It appears that Mr. Gentile was in an annual leave status at the end of the Friday before his departure to San Francisco. The NSA submission shows some confusion as to what effect this annual leave has on Mr. Gentile's entitlement to the travel expenses in dispute. Since Mr. Gentile was assigned to TDY before departing from his permanent duty station, he is entitled to reimbursement of his actual expenses not to exceed what he would have incurred had he traveled directly between his permanent duty station and his TDY station. Mr. Gentile's situation is to be distinguished from cases in which an employee travels to a place away from his permanent duty station for a personal reason such as the taking of annual leave and while there is ordered to perform TDY at that or another location, interrupting, cancelling, or following the taking of annual leave. Compare the situations addressed in Joint Travel Regulations, Volume 2, para. C4555.

Accordingly, the previously disallowed portion of Mr. Gentile's claim, \$28, should be allowed.

  
For the Comptroller General  
of the United States